

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

JOHNNY VEGA DAVILA

DEBTOR(S)

CASE NO. 10-04343-SEK

CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT
ON POST CONFIRMATION MODIFIED PLAN DATED 8/1/2011**

With respect to the above-referred payment plan with a base of \$14,800.00 the Trustee Renders the following recommendation:

FAVORABLE

UNFAVORABLE

1. FEASIBILITY 11 USC § 1325(a)(6):
2. INSUFFICIENTLY FUNDED § 1325(b) :
3. UNFAIR DISCRIMINATION § 1322(b):
4. FAILS LIQUIDATION VALUE TEST § 1325(a)(4):
5. FAILS DISPOSABLE INCOME TEST § 1325(b)(1)(B):
As per docket 41 debtor received \$12,377 from federal tax refund of which \$6937.00 were paid to ASUME by U.S. Department of the Treasury. SEE BELOW (OTHER)
6. DOES NOT PROVIDE FOR SECURED CREDITOR § 1325(a)(5):
7. OTHER:
Debtor to devote the remaining portion of \$5,440.00 of the Federal Refund to the Trustee. 2) Pending objection to claim #2 filed by debtor (dkt.41)

NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s). Copies are available to parties in interest at the Trustee's Office.

DATE: 8/10/2011

/s/ Pedro R Medina

Pedro R Medina
USDC #226614

For:

ALEJANDRO OLIVERAS RIVERA
Chapter 13 Trustee
PO Box 9024062, Old San Juan Station
San Juan PR 00902-4062

JOSE M PRIETO CARBALLO*
COUNSEL FOR DEBTOR(S)